

Express Mail No.: EL 984587300 US
Date Deposited: June 3, 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Weder et al.)	Group Art Unit: 3721
)	
Serial No.: 10/662,155)	Examiner: E. Kim
)	
Filed: 09/12/2003)	
)	
For: SYNTHETIC DECORATIVE)	Atty's Docket No.: 8403.988
GRASS SIMULATING)	
SPANISH MOSS AND)	
METHOD FOR MAKING SAME)	

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §1.321(b)

Sir:

Douglas J. Sorocco, having a mailing address of P.O. Box 16370, Oklahoma City, OK 73113, in the County of Oklahoma and the State of Oklahoma, represents that she is the authorized attorney or agent of record and thus authorized to sign on behalf of Petitioner/Assignee.

The Family Trust, U/T/A dated December 8, 1995, owns one hundred percent (100%) of the right, title and interest in and to said **U.S. Patent Number 6,605,170**, issued on August 12, 2003, assignment recorded August 24, 1999, Reel/Frame 10191/812-814.

The Family Trust, U/T/A dated December 8, 1995, owns one hundred percent (100%) of the right, title and interest in and to said **U.S. Patent Number 6,605,170**, issued on August 12, 2003, assignment recorded August 24, 1999, Reel/Frame 10191/812-814.

The Family Trust U/T/A dated December 8, 1995, owns one hundred percent (100%) of the right, title and interest in and to the above-identified patent application, **serial number 10/662,155**, filed September 12, 2003, assignment recorded August 24, 1999, Reel/Frame 10191/812-814.

The assignment documents relating to **U.S. Patent Number 6,605,170**, and the above-identified application, **serial number 10/662,155**, have been reviewed and certified by Petitioner/Assignee and, to the best of Petitioner/Assignee's knowledge and belief, title is in the Petitioner/Assignee seeking to take this action.

Petitioner/Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U. S. C. §§154-156 and 173, and of the term as presently shortened by any terminal disclaimer of said **U.S. Patent Number 6,605,170**.

Petitioner/Assignee further agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period

that the legal title to said patent shall be the same as the legal title to said **U.S. Patent Number 6,605,170**.

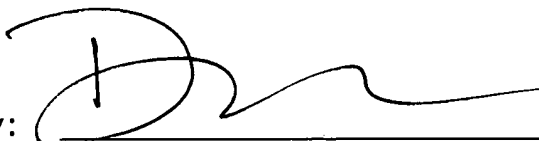
This agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner/Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term defined in 35 U.S.C. §§154-156 and 173, and of the term as presently shortened by any terminal disclaimer of said **U.S. Patent No. 6,605,170**, and of the term as presently shortened by any terminal disclaimers of said **U.S. Patent No. 6,605,170**, in the event that said **U.S. Patent No. 6,605,170** later: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or are found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321; (4) has all claims canceled by a reexamination certificate; (5) is reissued; or (6) is otherwise not deemed to provide the rights conveyed by 35 U.S.C. §§154-156 and 173 prior to the expiration of the full statutory term(s) as presently shortened by any terminal disclaimer(s), except for the separation of legal title stated above.

6.3.05

Date

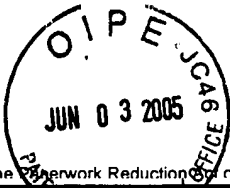
By:



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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.



Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) **130****Complete if Known**

Application Number	10/662,155
Filing Date	09/12/2003
First Named Inventor	Donald E. Weder
Examiner Name	E. Kim
Art Unit	3721
Attorney Docket No.	8403.988

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**
☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	<u>Small Entity</u> Fee (\$)	Fee (\$)	<u>Small Entity</u> Fee (\$)	Fee (\$)	<u>Small Entity</u> Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	<u>Small Entity</u> Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
_____ - 20 or HP = _____	_____ x _____	= _____	0	_____	_____	0
HP = highest number of total claims paid for, if greater than 20						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
_____ - 3 or HP = _____	_____ x _____	= _____	0			
HP = highest number of independent claims paid for, if greater than 3						

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	0 / 50 = _____	(round up to a whole number) x _____	= _____	0

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)	Fees Paid (\$)
Other: Terminal Disclaimer Fee	0
	130

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	43,145	Telephone	405-607-8600
Name (Print/Type)	Douglas J. Sorocco			Date	06/03/2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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